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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,700	07/08/2003	Jouji Wada	ARI-35847	9744
116 7590 06/16/2008 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108				
EXAMINER CZEKAJ, DAVID J				
ART UNIT 2621		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/615,700

Applicant(s)

WADA, JOUJI

Examiner

DAVID CZEKAJ

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

On page 6, applicant argues that Kawai fails to disclose an irregular state caused by the micro-computer unit being in a frozen state. While the applicant's points are understood, the examiner respectfully disagrees. The examiner relied upon Shibata, not Kawai, to teach an irregular state caused by the micro-computer unit being in a frozen state. Therefore the rejection has been maintained.

On page 6, applicant argues that Kawai fails to disclose a camera drive control unit having a second control state under which the camera unit is driven to move into engagement with a resetting unit. While the applicant's points are understood, the examiner respectfully disagrees. The examiner cited a portion of Kawai which broadly covers the claim language. However, the examiner relied upon Smith to explicitly show a second control state under which the camera unit is driven to move into engagement with a resetting unit. Therefore the rejection has been maintained.

On page 6, applicant argues that Kawai fails to disclose setting the camera drive control unit to take a first control state when receiving the regular state signal while setting the drive control unit to take the second state when not receiving the regular state signal. While the applicant's points are understood, the examiner respectfully disagrees. See for example Kawai column 11, lines 13-42. There Kawai discloses moving the camera between positions based on two different states. The amended limitation, "regularity repeating state signal", is rejected under a different reference as

indicated in the updated rejection found below. Therefore the rejection has been maintained.

On pages 6-7, applicant argues that Smith fails to disclose resetting from one state to another in response to engagement with the camera unit. While the applicant's points are understood, the examiner respectfully disagrees. Smith discloses in column 5, line 67 – column 6, line 5, rotating the camera until a magnet reaches a switch causing a reset. Hence, the camera unit engages a resetting device. Therefore, the combination of Kawai with Smith yields resetting a camera unit based on predetermined states. Therefore the rejection has been maintained.

On page 7, application argues there would be no motivation to combine Shibata with Smith since Smith has no micro-computer to reset. While the applicant's points are understood, the examiner respectfully disagrees. While Smith fails to explicitly show a micro-computer, Smith does show in figures 1-3 operating a camera via a control circuit. The examiner notes that control circuits and cameras inherently contain micro-processors. Therefore combining Smith with Shibata would result in the resetting of a micro-computer. Therefore the rejection has been maintained.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-2 and 4-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sergeant et al. (5627616), (hereinafter referred to as "Sergeant") in view of Kawai (6414716) in further view of Smith (4543609) in further view of Shibata (6640338).

Regarding claims 1 and 4, Sergeant discloses an apparatus that relates to surveillance camera systems (Sergeant: column 1, lines 4-5). This apparatus comprises "a camera unit for taking an image of an object" (Sergeant: figure 2), "a camera retaining assembly for retaining the camera, the camera being movable with respect to the retaining assembly to a destined position and posture" (Sergeant: figure 2, column 4, lines 58-67, wherein the pan and tilt assemblies move the camera), and "camera driving unit for driving the camera to move with respect to the retaining assembly" (Sergeant: figures 3-4, column 4, lines 58-67). However, this apparatus lacks the control units and resetting unit as claimed. Kawai teaches that prior art surveillance systems fail to provide clients with efficient and fair access to cameras (Kawai: column 1, lines 33-57). To help alleviate this problem, Kawai discloses "a micro computer unit for projecting a positional signal being operative to take two different states consisting of a regular state and an irregular state" (Kawai: column 11, lines 12-20, wherein the irregular state is when the user selects the stop button which stops the transmission of position signals to the camera; column 11, lines 35-40, wherein the regular state is receiving the camera position signals from the user), "a camera drive control unit for driving the camera to move with respect to the retaining assembly, being operative to take two control states of which a first

control state moves the camera to a destined position and a second control state under which the camera unit is driven to move into engagement with a resetting unit" (Kawai: column 11, lines 38-42, wherein the camera is reset to the initial camera position at the end of each session), and "setting the camera drive control unit to take a first control state when receiving the regular state signal while setting the drive control unit to take the second state when not receiving the regular state signal" (Kawai: column 11, lines 38-42, wherein the camera is driven to the initial state). Smith teaches that prior art surveillance systems have diminished surveillance capability (Smith: column 2, lines 1-10). To help alleviate this problem, Smith discloses "resetting from one state to another state in response to engagement with the camera unit" (Smith: column 5, line 66 – column 7, line 6, wherein the camera engages the magnet coupled to the reset line). Shibata teaches resetting from an irregular state based on a regularly repeating state signal caused by a frozen state of a microcomputer unit (Shibata: column 2, lines 30-34, wherein the frozen state is the state of not receiving command signals, the command signals being the regularly repeating signals). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Sergeant, add the processing taught by Kawai, and add the resetting units taught by Smith and Shibata in order to provide a surveillance system with increased surveillance capability and fair and reasonable access to a plurality of users.

Regarding claim 2, Kawai discloses "the camera has a surveillance area and a non-surveillance area" (Kawai: column 3, lines 47-50, wherein the surveillance area is the area where the image signal is produced; column 11, lines 38-42, wherein the non-surveillance area is the initial state of the camera wherein no images are taken).

Regarding claim 5, Kawai discloses "repeatedly setting the computer to take the regular and irregular states having different time intervals consisting of a first time in which the computer is set to take the regular mode and a second time in which the computer is set to take the irregular mode" (Kawai: column 11, lines 38-42, wherein the internal computer in the camera takes both the regular and irregular modes; the time intervals is the time the user is using the camera, and the time the user clicks the stop button).

Regarding claim 6, Sergeant discloses "the retaining assembly includes a camera shaft having a camera revolution axis thereof, and a holder member for revolvably supporting the shaft and the shaft is driving in unison with the camera" (Sergeant: figures 2-4).

Regarding claim 7, Sergeant discloses "the retaining assembly includes a holder shaft which further comprises a stationary member, driving the holder member of the retaining assembly to revolve, and controlling the driving unit to have holder member revolve around axis with respect to stationary member" (Sergeant: figures 2-4).

2. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sergeant et al. (5627616), (hereinafter referred to as "Sergeant") in view of Kawai (6414716) in further view of Smith (4543609) in further view of Shibata (6640338) in further view of Takagi et al. (6809760), (hereinafter referred to as "Takagi").

Regarding claim 3, note the examiners rejection for claim 1, and in addition, claim 3 differs from claim 1 in that claim 3 further requires measuring lap times. Takagi teaches that comparing times can be used to prevent processes from being endlessly repeated (Takagi: column 17, lines 1-11, wherein the first time is the standby time, the second time is the predetermined period of time). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the time comparison taught by Takagi in order to prevent system resources from being misused.

Regarding claim 8, note the examiners rejections for claims 1-7.

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID CZEKAJ whose telephone number is (571)272-7327. The examiner can normally be reached on Mon-Thurs and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 2621

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